

Hamilton County Department of Education
Policy Committee Meeting
August 10, 2023 5:30 PM
3074 Hickory Valley Road
Chattanooga, TN 37421

I. Call to Order - Dr. Joe Wingate, Chairman

II. Board Policy Discussions

III. Adjourn

Hamilton County Board of Education

Monitoring: Review: Annually in September	Descriptor Term: School Board Meetings	Descriptor Code: 1.400	Issued Date: 02/15/07
		Rescinded:	Revised: 08/17/23

1
2 The Board will transact all business at official meetings which may be either regular or special.

3
4 Every meeting of the Board, except with the attorney to discuss pending or threatened litigation, will be
5 open to the public.¹ Open meetings will be physically accessible to all students, employees, and
6 interested citizens.³

7
8 Each member of the Board shall consider it his/her duty to appear at every Board meeting properly
9 prepared to discuss the items appearing on the agenda.

10
11 Each Board member is obligated to attend all Board meetings unless physically incapacitated or
12 prevented from doing so due to circumstances beyond his/her control. Whenever possible, each member
13 should advise the chairperson of an impending absence.

14 15 **REGULAR MEETINGS**

16
17 Regular meetings of the Board shall be held monthly beginning at 6:00 p.m., unless an executive session
18 is called. Each April the Board will approve an annual calendar of meetings.

19
20 In instances when any regular meeting date falls on a legal holiday, the meeting shall be rescheduled by
21 the chairman.

22 23 **SPECIAL MEETINGS**

24
25 The Board shall hold such special meetings as necessary to transact the business of the Board. Such
26 meetings shall be called by the chairman whenever, in his/her judgment, the interests of the schools
27 require it, or when requested to do so by a majority of the Board.²

28
29 Only business related to the call of the meeting, and details related to agenda items shall be discussed or
30 transacted by the Board at a special meeting.

31
32 Special meetings may be called for either of the following purposes:

- 33
34 1. To enable the Board to concentrate and take action on a single problem or set of problems; or
35 2. To enable the Board to take emergency action between regular meetings.

36 37 **ADJOURNED MEETINGS**

38
39 The Board may hold an adjourned meeting of the Board to a specific locality and at a specific time
40 provided; however, ~~that~~ the Board shall give adequate public notice of such meeting.

41 42 **PERSONNEL ITEMS**

1
2 If at all possible, Board members should refrain from criticizing or discussing individual employees in
3 an open meeting since such meetings are public record and the affected employees are usually unable to
4 offer an appropriate rebuttal to any criticism. Accordingly, if a Board member has any questions or
5 concerns about any aspect of an employee's performance, the member should, if at all possible, direct
6 these questions or concerns to the attention of the director of schools and permit the Director of Schools
7 or their designee time to investigate the issues and to deal with them as appropriate. If the Director of
8 Schools or their designee deems it necessary, he/she will communicate any issues about which the Board
9 ought to be aware to the Board members in advance of a regular meeting.

10 11 **REQUEST FOR INFORMATION BY BOARD MEMBERS**

12
13 Board members are entitled to information relevant to the operation of the school system. Members shall
14 request this information through the Director of Schools or their designee. In response to the request of
15 Board members, the director of schools shall gather the information and/or prepare a report and
16 disseminate it to all Board members as soon as practicable. If the director of schools determines in his
17 sole discretion that the information requested is burdensome and/or will take an inordinate amount of
18 staff time to prepare, he shall advise the chairman. The chairman will then place the Board member's
19 request on the agenda of the next Board meeting for consideration by the entire Board.

20
21 In all cases, Board members are encouraged to advise the Director of Schools or their designee of any
22 questions or concerns they may have regarding any agenda item as far in advance of a Board meeting as
23 is practicable.

24 25 **ELECTRONIC PARTICIPATION IN MEETINGS**

26
27 The Board ~~member of Education~~ may attend ~~conduct~~ a scheduled Board meeting by electronic means
28 including, but not limited to, telephone, videoconferencing or other web-based media if the member
29 participating by electronic means ~~as long as the member~~ can be visually identified by the chair, and if
30 the member is absent: 1) because the member is required to be out of Hamilton County for the member's
31 work; 2) because the member is sick or in a period of convalescence on the advice of a healthcare
32 professional that the member not appear in person; 3) due to inclement weather or natural disaster if
33 Hamilton County schools are closed; 4) because the member has a family emergency that inhibits the
34 member from attending in person; or 5) because the member is out of the county due to military service.
35 ~~including, but not limited to, telephone, videoconferencing or other web-based media; if a member is~~
36 ~~absent because the member is required to be out of Hamilton County for the member's work, the member~~
37 ~~is dealing with a family emergency as determined by the chair, or because of the member's military~~
38 ~~service.~~

39
40 No Board meeting shall be conducted with electronic participation unless a quorum of members is
41 physically present at the location of the meeting. Only members who are 1) out of the county for work;
42 2) sick or in a period of convalescence; 3) experiencing inclement weather or natural disaster where
43 Hamilton County schools are closed; 4) experiencing a family emergency; or 5) out of the county due to
44 military service may attend and participate in the meeting electronically.
45

1 A Board member wishing to participate in a scheduled Board meeting electronically who is or will be
2 out of the county because of work shall give at least five (5) days' notice prior to the scheduled Board
3 meeting of the member's intention to participate electronically.

4
5 No Board member shall participate electronically in Board meetings due to being out of the county for
6 work more than two (2) times per school year, provided, however, that this limitation shall not apply to
7 a Board member who is out of the county due to military service.

8
9 No Board member shall participate electronically in Board meetings due to being sick or in a period of
10 convalescence more than three (3) times per school year.

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12 No Board member shall participate electronically in Board meetings due to inclement weather or natural
13 disaster more than three (3) times per school year.

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15 No Board member shall participate electronically in Board meetings due to a family emergency more
16 than two (2) times per school year.

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Legal References:

- 1. TCA 8-44-102
- 2. TCA 49-2-202(c)(1)
- 3. 28 CFR § 36.201(a); 36.202

Cross References:

- School Board Legal Status and Authority 1.100
- Section 504/ADA Grievance Procedures 1.802
- Board-Director Relations 1.205

Hamilton County Board of Education

Monitoring: Review: Annually in August	Descriptor Term: Enrollment in Advanced Courses	Descriptor Code: 4.2061	Issued Date: 08/17/23
		Rescinded: 4.205	Revised:

General

Students in grades seven through twelve (7-12) may enroll in available advanced courses including, but not limited to, advanced English language arts, mathematics, or science courses.¹

Guidance for placement should not be considered as limitations to enrollment in advanced courses, academic programs, or career-technical pathways. Students are encouraged to challenge themselves academically and avail themselves of the most rigorous curricular offerings that are available.

In instances where multiple advanced course options exist, students will be encouraged to enroll in the one most aligned to their postsecondary aspirations.

Students meeting the following academic indicators will be automatically eligible for enrollment in these courses:

1. Honors Courses: A grade of B or higher and/or TCAP scores of on-track or mastery in the preceding academic course
2. Dual Credit Courses: A grade of C or higher and/or TCAP scores of on-track or mastery in the preceding academic course
3. Industry Certification-Aligned Courses: A grade of C or higher
4. Dual Enrollment: A grade of C or higher and/or TCAP scores of on-track or mastery in the preceding academic course
5. Advanced Placement: A grade of B or higher and/or TCAP scores of on-track or mastery in the preceding academic course
6. College Level Exam Program: A grade of C or higher and/or TCAP scores of on-track or mastery in the preceding academic course
7. International Baccalaureate/Cambridge: A grade of B or higher and/or TCAP scores of on-track or mastery in the preceding academic course

The district shall have the authority to consider additional factors, such as, but not limited to; student interest, attendance, and post-graduation plans, for the enrollment in advanced courses to fit the needs of the students within the school. Decisions regarding enrollment in advanced courses will support our commitment to opportunity and access.

NOTIFICATION¹

Parent(s)/guardian(s) shall be provided with written notification of a student's eligibility to enroll in advanced courses. The notification shall state that a student will remain enrolled in the course unless the parent/guardian timely submits a written request for removal. The Director of Schools or their designee shall determine the process and deadline to submit the request for removal.

COLLEGE LEVEL COURSES²

Students may earn credit by enrolling in a postsecondary institution and taking college level courses. Students who take and pass any EPSO course including dual enrollment courses at a postsecondary institution shall have their postsecondary credits accepted for high school credit as a substitution for an aligned graduation requirement course.

These courses may be offered at the high school, postsecondary institution, or online. If not offered on the high school campus, the Board shall not be responsible for transportation. Any tuition or fees due to enrollment in college level courses are the responsibility of the parent(s)/guardian(s).

Grades earned in such college level courses shall be used to determine class rank, grade point average, and class valedictorian or salutatorian.

Legal References:

1. Public Acts of 2021, Chapter No. 170; State Board of Education Policy 3.301
2. TRR/MS 0520-01-03-.03(8)

Cross References:

Hamilton County Board of Education

Monitoring: Review: Annually in November	Descriptor Term: Extracurricular Activities	Descriptor Code: 4.300	Issued Date: 12/16/04
		Rescinded:	Revised: 08/17/23

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2 Extracurricular activities are defined as any activities which occur on school property under the
3 sponsorship of the school or those activities which occur off school property involving activities which
4 are organized and planned on school property and on school time with instructional personnel involved
5 in the planning process. Student activity programs shall not include secret organizations. Student
6 activities sponsored by outside groups or agencies will be approved only if they are co-sponsored by the
7 school.

8
9 A school shall not allow a student who is not eighteen (18) years of age or older to become a member or
10 participate in any activity of a club or organization, unless the student's parent or legal guardian first
11 provides consent to the student's membership or participation in a dated, written consent.²
12

13 No otherwise qualified person shall, on the basis of disability, ethnicity, religion, sexual orientation,
14 gender identity, or national origin be excluded from participation in, be denied the benefits of, or
15 otherwise be subjected to discrimination regarding entry and participation in extracurricular activities.¹
16 Nor shall a student be required to attend a school-sponsored student activity that is scheduled at a time
17 which conflicts with his religious practices.

18
19 It is the basic responsibility of the building principal to approve all extracurricular activities and to
20 request central office approval from the appropriate director for activities which require travel. All
21 overnight activities require Board approval with proof of adequate liability coverage.
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Legal References:

- 35 1. 20 USC 1703
36 2. TCA 49-6-1031 (b)

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Cross References:

Hamilton County Board of Education			
Monitoring: Annually, in November	Descriptor Term: Reconsideration of Instructional Materials and Textbooks	Descriptor Code: 4.403	Issued Date: 12/16/04
		Rescinded:	Revised: 08/17/23

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The Board supports principles of intellectual freedom inherent in the First Amendment of the Constitution of the United States¹ and expressed in the *Library Bill of Rights* of the American Library Association.

The Board, though it is responsible for all instructional material purchased, recognizes the student's right to free access to many diverse types of materials. The Board also recognizes the right of teachers and administrators to select instructional materials and to make those materials available in the schools. It is therefore the policy of the Board to require instructional materials selected for and used in the schools to be in accord with the following:

1. Instructional materials shall be chosen for the values of interest and enlightenment of all students in the community. Instructional materials shall not be excluded because of race, nationality, political or religious views of the writer or of the style and language.
2. Every effort will be made to provide materials that present many points of view concerning the problems and issues of our times--international, national, and local. Instructional materials of sound factual authority shall not be proscribed or removed from library shelves or classrooms because of partisan or doctrinal approval/disapproval.
3. Censorship of instructional materials will be discouraged to maintain the school's responsibility to provide information and enlightenment.
4. Such media (films, videos, electronic media, etc.) should be used only to supplement, not supplant, other instruction. There must be a stated instructional purpose related to the approved curriculum objectives to support the use of any media and any media more than 10 minutes must be pre-approved by the principal.

In accordance with number three above, the Board has adopted the following policy when dealing with complaints about our censorship of instructional materials:

1. That the final decision concerning controversial instructional materials shall rest with the Board after careful examination and discussion of the instructional materials with school faculties or anyone else the Board wishes to be involved;
2. That no parent or guardian, group of parents or guardians, or non-school group has the right to determine the instructional materials for students other than their own children;

- 38 3. The Board does, however, recognize the right of an individual parent or guardian
 39 to request that his child not have to use the given instructional material without
 40 being penalized academically, provided a written request is made to the principal;
 41 4. Any student, parent or guardian, or school employee who wishes to request
 42 review or reconsideration of the use of any instructional material in the school
 43 must make such a request in writing through the principal of the school where the
 44 material is used. ²

45

46 Complainants who bypass the review/reconsideration procedure and who initially seek action
 47 from the Board or Director of Schools shall be informed of the policy and instructed first to
 48 seek solution to their problem with the teacher, librarian, or principal involved.

49

50 Notwithstanding any other Board policy, no one will be allowed to address the Board
 51 regarding the content of any book or other instructional material until the procedures of this
 52 policy have been exhausted.

53

54 When a complaint is made, the following procedure is to be followed:

55

- 56 1. Provide the complainant with a copy of this policy and make no commitments.
 57 2. Request the complainant to submit a "Request for Reconsideration of
 58 Instructional Materials" Form, which is to be developed by the Administration.
 59 3. When a complaint is filed, the principal and teacher will review the validity of the
 60 complaint. The complaint will then be processed through the following steps to
 61 determine a final resolution.
 62 4. Inform the Director of Schools or a designee.
 63 5. Keep challenged materials available for use and review during the reconsideration
 64 process.
 65 6. Upon receipt of the completed form, the principal requests a review of the
 66 challenged material within twenty working days by an ad hoc materials review
 67 committee composed as follows:
 68 a. Appropriate Executive Director and/or Director of Teaching and
 69 Learning (will serve as the chair of the committee);
 70 b. President of the school's PTA/PTO or other parent or guardian
 71 representative appointed by the principal.
 72 c. Principal of a county school serving the same grade levels and in the
 73 same learning community as the school in which the complaint was
 74 made; and
 75 d. A teacher at a county school serving the same grade levels and in the
 76 same learning community as the school in which the complaint was
 77 made.
 78 7. The review committee takes the following steps after receiving the challenged
 79 materials:
 80 a. Reads, views, or listens to the material in its entirety.
 81 b. Consider the material in light of the criteria set forth in Board Pol. No.
 82 4.402, Criteria for Selection or Reconsideration of Materials.

- 83 c. Holds a hearing including complainant and any affected school
84 employee.
85 d. Determines the extent to which the material supports the curriculum.
86 e. Judges the material for its strengths and values and/or objectionable
87 content.
88 f. Presents decision in writing to principal, to the complainant, to affected
89 school employees, and to the Director of Schools (for information).
90 8. If the complainant or any affected school employee wishes further action after
91 receiving the decision of the committee, an appeal may be made to the Board
92 within fifteen (15) working days of the date of the committee's decision. This
93 appeal should be made in writing to the Director of Schools. The Board has the
94 discretion to sustain the review committee on the record or to grant a new hearing.
95 If no appeal is filed within the above deadline, the determination of the review
96 committee shall be final.
97

98 The Director of Schools, or a designee, shall be responsible for the implementation of procedures
99 concerning complaints regarding instructional materials and textbooks. These administrative
100 procedures should include consideration of whether to remove materials or textbooks from
101 schools across the system based upon a sustained complaint at a particular school.
102

103 NOTE: This policy includes textbooks, library books, reference books, newspapers, magazines,
104 films, audio or videotapes, live or recorded radio or television programs, computer programs, etc.
105 including any such materials that may be in a teacher's classroom. All instructional materials
106 and textbooks are covered within this policy
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114 Legal References:

- 115 1. Island Trees/Union Free School District v. Pico, 457 U.S. 853, 102 S. Ct. 2799 (1982)
116 2. [TCA 49-6-3803 \(b\)](#)

Hamilton County Board of Education

Monitoring: Review: Annually in April	Descriptor Term: Zero Tolerance Offenses	Descriptor Code: 6.309	Issued Date: 09/15/16
		Rescinded:	Revised: 08/17/23

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2 In order to ensure a safe and secure learning environment, the following offenses will not be tolerated,
3 and in accordance with state law, any student in violation shall be expelled for a period of not less than
4 one (1) calendar year:

6 **WEAPONS & DANGEROUS INSTRUMENTS**

7
8 Students shall not possess, handle, transmit, use, or attempt to use any dangerous weapon in school
9 buildings or on school grounds at any time, or in school vehicles and/or buses or off the school grounds
10 at a school-sponsored activity, function, or event.¹

11
12 Dangerous weapons for the purposes of this policy shall include but are not limited to a firearm or
13 anything manifestly designed, made, or adapted for the purpose of inflicting death or serious bodily
14 injury or anything that in the manner of its use or intended use is capable of causing death or serious
15 bodily injury.²

16
17 Violators of this section shall be subject to suspension and/or expulsion from school for a period of not
18 less than one (1) calendar year.

20 **FIREARMS (as defined in 18 U.S.C. § 921)³**

21
22 In accordance with state law, any student who brings or possesses a firearm on school property shall be
23 expelled for a period of not less than one (1) calendar year. The Director of Schools shall have the
24 authority to modify this expulsion requirement on a case-by-case basis.⁴

26 **DRUGS**

27
28 In accordance with state law, any student who unlawfully possesses or is under the influence of any drug
29 including any controlled substance or legend drug shall be expelled for a period of not less than one (1)
30 calendar year. The Director of Schools shall have the authority to modify this expulsion requirement on
31 a case-by-case basis.⁵

33 **ASSAULT**

34
35 In accordance with state law, any student who commits aggravated assault or commits an assault that
36 results in physical contact with any teacher, principal, administrator, any other employee of the school,
37 or school resource officer, shall be expelled for a period of not less than one (1) calendar year. The
38 director of schools shall have the authority to modify this expulsion requirement on a case-by-case basis.

40 **THREAT BY ELECTRONIC DEVICE**

41
42 In accordance with state law, any student who transmits by an electronic device a credible threat to cause
43 bodily injury or death to another student or school employee and the threat causes actual disruptive

1 activity at the school shall be expelled for a period of not less than one (1) calendar year. The Director
2 of Schools shall have the authority to modify this expulsion requirement on a case-by-case basis.

3
4 **THREATS OF MASS VIOLENCE**

5
6 In accordance with state law, any student who threatens mass violence on school property or at a school-
7 related activity shall be expelled for a period of not less than one (1) calendar year. The Director of
8 Schools or their designee shall have the authority to modify this expulsion requirement on a case-by-
9 case basis. ⁵

10
11 **NOTIFICATION**

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13 When it is determined that a student has violated this policy, the principal of the school shall notify the
14 student's parent or guardian in writing and the criminal justice or juvenile delinquency system as required
15 by law.⁶

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Legal References:

- 40 1. TCA 39-17-1309
- 41 2. TCA 39-11-106(a)(5)(A)(B)
- 42 3. 18 U.S.C. 921
- 43 4. TCA 49-6-3401(g)
- 44 5. TCA 49-6-3401(g)
- 45 6. TCA 49-6-4209; TCA 39-17-1312

- Cross References:
Discipline Procedures 6.313
Suspension/Expulsion/Remand 6.316

Hamilton County Board of Education

Monitoring: Review: Annually in April	Descriptor Term: Alternative Education Program	Descriptor Code: 6.310	Issued Date: 09/19/19
		Rescinded:	Revised: 08/17/23

OPERATION

The Board shall operate an alternative education program for students in grades six through twelve (6-12) who have been suspended or expelled from regular school programs.¹ Alternative education programs shall be operated in accordance with state law and the Rules of the State Board of Education, and instruction shall proceed as nearly as practicable in accordance with the instructional programs at the student's home school.²

The director of schools, or his/her designee, shall develop procedures that provide appropriate educational opportunities for all students assigned to an alternative education program. These educational opportunities shall utilize Tennessee's academic standards, incorporate innovative teaching strategies, deliver research-based instructional techniques, and provide the resources necessary to foster student learning and achievement.³

Annually, the Director of Schools or his/her designee shall submit the following information to the Department of Education:³

1. Alternative school(s) or program(s) currently in operation in the district;
2. Number and grade level of students served in an alternative education program;
3. Primary reason for student assignment to an alternative education program; and
4. Number of faculty and staff serving each alternative education program.

ASSIGNMENT

Students who have been suspended for more than ten (10) days or expelled shall be assigned to the alternative education program if there is a suitable program and/or staff available.⁷ The suitability of any program and/or the availability of staff shall be determined at the time the disciplinary action is rendered.

The Director of Schools, or his/her designee, is not required to assign a student to the alternative education program if the student committed an offense of violence or threatened violence, an offense that threatened the safety of persons attending or assigned to the student's school¹², or a zero-tolerance offense.⁸ Consideration to assign these students to the alternative education program will be determined by the Director of Schools, or his/her designee, on a case-by-case basis.

Prior to the assignment of the student to an alternative school program, the Director of Schools or the DHA shall provide written notice to the student's parent/guardian stating the reason for the student's placement.⁹

If a student has an IEP, a Section 504 plan, or is suspected of having a disability, all state and federal laws, rules, and regulations related to special education shall be followed.¹⁰

1 The Director of Schools or his/her designee shall monitor and regularly evaluate the academic
2 progress of each student enrolled in an alternative education program.

4 **REMOVAL**

6 A student may be removed from the alternative education program if:

- 8 1. He/she violates the rules of the alternative education program; or
- 9 2. He/she is not benefitting from the assignment and all interventions have been exhausted
10 unsuccessfully.¹¹

12 **TRANSITION PLAN**

14 The director of schools or his/her designee shall develop procedures regarding the implementation of
15 transition plans for the integration of students entering and exiting the program.⁶

31 **Legal References:**

- 32 1. T.C.A. § 49-6-3402(a)
- 33 2. T.C.A. § 49-6-3402(b)
- 34 3. State Board of Education Policy 2.302
- 35 4. T.C.A. § 49-6-3401(c)(5); T.C.A. § 490603401(g)(3)
- 36 5. T.C.A. § 49-6-3402(c)
- 37 6. T.C.A. § 49-6-3402(h)
- 38 7. TCA 49-6-3402(c)(1)(A)
- 39 8. TCA 49-6-3402(c)(1)(B)
- 40 9. TRR/MS 0520-01-02-.09(9)(i)
- 41 10. TRR/MS 0520-01-02-.09(9)(h)
- 42 11. TCA 49-6-3402(c)(2)(B)
- 43 12. [TCA 49-6-3402 \(c\)\(1\)\(c\)](#)

Cross References:

Hamilton County Board of Education

Monitoring: Review: Annually in May	Descriptor Term: Student Surveys, Analyses, and Evaluations	Descriptor Code: 6.404	Issued Date: Click here to enter a date.
		Rescinded:	Revised: 08/17/23

1
2 Surveys, analyses, and evaluations for research purposes shall be allowed by the Board when the project
3 is viewed as contributory to a greater understanding of the teaching-learning process, the project does
4 not violate the goals of the Board, and the disruption of the regular school program is minimal. The
5 Director of Schools or their designee shall develop administrative procedures for approving requests for
6 conducting surveys, analyses, or evaluations by agencies, organizations or individuals. The request shall
7 outline what is to be done, who is to be involved and how the results will be used and distributed.¹

8
9 Prior to the dissemination of a survey, analysis, or evaluation to students, parent/guardians shall be
10 notified of their ability to review the materials. Such notification shall include information indicating the
11 purpose of the survey, analysis, or evaluation as well as who will have access to the results. Following
12 such notification and prior to the administration of the survey, analysis, or evaluation, parents/guardians
13 ~~may opt their child out of participation~~ must provide consent before the student participates in a survey,
14 analysis, or evaluation. Parents/Guardians may withdraw consent at any time before the student
15 participates. Prior consent does not apply if the full survey, analysis, or evaluation is related to classroom
16 instruction of a curriculum and is distributed to students as a way of evaluating the effectiveness of an
17 instructional curriculum.¹

18
19 The Director of Schools or their designee shall develop procedures for granting such parental requests
20 and to implement the other provisions of this policy.⁵

21
22 No student shall be required, as part of any program, to submit to a survey, analysis or evaluation that
23 reveals information concerning:^{2,5}

- 24
25
- 26 1. Mental or psychological problems of the student or student's family;
 - 27 2. Sexual behavior or attitudes;
 - 28 3. Illegal, anti-social, self-incriminating, or demeaning behavior;
 - 29 4. Critical appraisals of other individuals with whom respondents have close family relationships;
 - 30 5. Legally privileged relationships;
 - 31 6. Income; or
 - 32 7. The collection of student biometric data involving the analysis of facial expression, EEG brain
33 wave patterns, skin conductance, galvanic skin response, heart-rate variability, pulse, blood
34 volume, posture, and eye-tracking⁶

35 Without the prior consent of the student (if the student is an adult or emancipated minor), or in the case
36 of an emancipated minor, without the prior written consent of the parent.⁵

37
38 The collection of the following student data is strictly prohibited:⁷

- 39
- 40 1. Political affiliation or voting history;
 - 41 2. Religious practices; and
 - 42 3. Firearm ownership

1
2 **COLLECTING, DISCLOSING OR USING INFORMATION FOR MARKETING** ³
3

4 In general, the district will not collect, disclose or use personal student information for the purpose of
5 marketing or selling that information or otherwise providing that information to others for that purpose.
6

7 If any collected information is to be marketed or sold, parents will be directly notified at least annually
8 at the beginning of the school year of the specific or approximate dates when such information will be
9 collected. Parents, upon request, may inspect any instrument used to collect personal information for the
10 purpose of marketing or selling that information before the instrument is administered or distributed to
11 the student. All parents and students of appropriate age may decline to provide the information requested.
12

13 This portion of the policy does not apply to the collection, disclosure or use of personal information
14 collected from students for the exclusive purpose of developing, evaluating or providing educational
15 products or services for or to student or educational institutions to the extent allowed by law, such as the
16 following: ⁴
17

- 18 1. College or other postsecondary education recruitment or military recruitment;
- 19 2. Book clubs, magazines and programs providing access to low-cost literary products;
- 20 3. Tests and assessments used by elementary schools and secondary schools to provide cognitive,
21 evaluative, diagnostic, clinical, aptitude or achievement information about students (or to
22 generate other statistically useful data for the purpose of securing such tests and assessments;
- 23 4. The sale by students of products or services to raise funds for school-related or education related
24 activities;
- 25 5. Student recognition programs.
26

27
28
29 **Legal References:**

- 30 1. TCA 49-2-211
- 31 2. 20 USCA § 1232h
- 32 3. No Child Left Behind, Part F § 1061 (1)(E) & (F) & (2)
- 33 4. No Child Left Behind, Part F § 1061 (4)(A)
- 34 5. TCA 49-2-211
- 35 6. TCA 49-1-706
- 36 7. TCA 49-1-705

Cross References:

Testing Programs 4.700